

REMARKS

Applicants have reviewed and considered the Office Action dated March 7, 2005. Applicants thank the Examiner for a timely review of the pending application and the Examiner's comments.

Claims 1 through 24 and 26 through 49 are presently pending in the present application.

Claims 1, 8 and 16 have been amended in view of the comments provided in the Office Action dated March 7, 2005.

New Claims 26 through 49 have been added in view of the comments provided in the Office Action dated March 7, 2005.

Support for the amendments to claims 1 through 24 and new claims 26 through 49 can be found throughout the specification, i.e., at page 11, lines 20 through 29.

No new subject matter has been added.

Applicants thank the Examiner for providing acceptable language to overcome the pending 35 U.S.C. § 112, first paragraph rejection.

Amendment of the claims is undertaken solely to expedite the prosecution of the pending application. The subject matter of original claims 1, 8 and 16 may be pursued in a continuation application. Therefore, the subject matter of original claims 1 through 24 should not be prejudiced by the present amendments.

Rejection of claims 1 through 24 under 35 U.S.C. 112, First Paragraph

Claims 1 through 24 stand rejected under 35 U.S.C. § 112, first paragraph, while being enabling for "a method of treating cell oxidative damage in humans" or "a method of protecting against cell oxidative damage in humans" does not reasonably provide enablement for "a method to protect cells in a lipid bilayer membrane".

Although Applicants respectfully disagree that original claims 1 through 24 are not enabled, it is in the Applicants' interest to amend the claims to comply with the suggestions

provided within the Office Action. In view of the comments provided in the Office Action, it is believed that these amendments overcome the basis of the outstanding rejection.

Applicants reserve the right to pursue the subject matter of original claims 1 through 24 in a separate application. No prejudice should be inferred by this conciliation. Again, the amendments are being made solely to expedite the prosecution of the present application.

Therefore, withdrawal and reconsideration of the rejection is respectfully requested.

CONCLUSION


In view of the above, Applicant respectfully submits that the present application is in condition for allowance. Reconsideration of the present application and a favorable response are respectfully requested.

If a telephone would be helpful in resolving any remaining issues, please contact the undersigned at 612-340-8819.

Respectfully submitted,

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